

APPENDIX 1

Excerpts from Defendant's
Response to Plaintiff's First Set
of Request for Production

Page(s) 001-014

CONSTITUTION AND BYLAWS



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Ratified and Approved by
Allied Pilots Association Membership
February 16, 2001

Amendment #49, February 16, 2001
Effective: May 27, 2001

001



ARTICLE IX - - NOMINATIONS, ELECTIONS, AND APPOINTMENTS

Section 1. Nominations for National Office (01/23/92)

- A. Any active member in good standing shall be eligible to hold any national office. (09/24/91)
- B. No more than six (6) months prior to the date of the National Officer Election, the Secretary-Treasurer shall establish a schedule for the upcoming election. The schedule and a notice of election shall be contained in an Association publication or mailed directly to each member. (09/24/91)
- C. Any active member in good standing may nominate him or herself or any other active member in good standing for the office of President, Vice President, or Secretary-Treasurer. To be eligible for nomination, the person to be considered shall execute a statement, in a form provided by the Secretary-Treasurer, that he or she will serve if elected. The person shall also execute the Conflict of Interest Disclosure Form C&B (Appendix B). These acceptance forms shall be included with the notice of election. The name of the nominee and the forms shall be sent to the Secretary-Treasurer by certified mail, return receipt requested. A member may also withdraw his or her nomination at any time prior to the distribution of the ballots by notifying the Secretary-Treasurer in writing. (amended 02/16/01)
- D. The Secretary-Treasurer shall cause to be distributed to each active member in good standing a list of persons willing to be considered for nomination. Each member may vote for one (1) person for each office from the list of names provided by the Secretary-Treasurer. An independent disinterested third party shall be responsible for the counting of the nomination ballots. (amended 02/16/01)
- E. The three (3) persons who receive the most votes at each domicile for each office shall be considered nominated, and the Secretary-Treasurer shall include their names on the official ballot in alphabetical order. In the event of a tie for the third place, the tied candidates shall be included on the ballot. (01/23/92)

Section 2. National Office Election Procedures (01/23/92)

- A. Subject to the supervision of the Secretary-Treasurer, the independent disinterested third party designated pursuant to Section 1.D. shall also be responsible for the distribution, collection, and counting of the election ballots. The official ballot shall be distributed to all members no less than twenty-one (21) days prior to the date of the vote count.
(amended 02/16/01)
- B. The most current Status 1 List shall be used to determine the eligibility of a member to vote in the election. (06/16/93)
- C. Each ballot and each vote on the ballot cast by an active member in good standing shall be counted provided that the independent third party is able to determine the intention of the voter with sufficient accuracy. Blank ballots and write-in votes shall not be counted. Decisions on whether or how to count a particular ballot or ballots shall be resolved conclusively by the independent third party. (01/23/92)
- D. Each candidate is permitted to have an observer at each phase of the election process, subject to the independent third party's policies. The candidate and any active member in good standing designated by the candidate shall be eligible to act as an observer.
(amended 02/16/01)
- E. The candidate who receives the majority of votes cast for each office shall be deemed elected to that office. The determination of a majority shall be made with respect to each office following the vote count. (01/23/92)
- F. In the event that no candidate receives a majority of votes cast for a particular office, the Secretary-Treasurer shall cause a runoff election to be concluded within sixty (60) days of the prior vote count. The ballot in the runoff election shall be limited to the two (2) candidates who received the greatest number of votes. In the event of a tie in a runoff election, one (1) candidate shall be eliminated by the drawing of lots. (01/23/92)

Section 3. Terms of National Office and Vacancies (01/23/92)

- A. Effective with the election of the National Officers for the term beginning July 2001, the term of office for the President, Vice President, and Secretary-Treasurer shall be three (3) years and shall commence on the first day of July, and continue for three (3) years or until he or she is re-elected or a successor has been elected and assumes office in accordance with this Constitution and Bylaws. (09/29/00)
- B. In the event of a vacancy in the office of the President, the Vice President shall assume the office and the duties of the President if the unexpired term is twelve (12) months or less. If the unexpired term is more than twelve (12) months, an election shall be held to fill the vacancy. The Vice President, in the interim, shall assume the duties, but not the office, of the President until the successor has been elected and assumes office in accordance with this Constitution and Bylaws.
(10/14/98)

limit. In order to ensure the Board of Directors always remains fully constituted, a Duly Designated Representative will be appointed to temporarily fill a vacant seat on the Board of Directors until such time as the appropriate election process is concluded. If the vacancy is created as a result of a resigning or retiring Domicile Officer, the resigning or retiring Domicile Officer will appoint the Duly Designated Representative prior to resigning or retiring. If the vacancy is created by other means, or if the resigning or retiring Domicile Officer fails to appoint a Duly Designated Representative, the remaining Domicile Officer will appoint the Duly Designated Representative. If there is no other Domicile Officer to make the appointment, the President will appoint a pilot from the domicile to be the Duly Designated Representative. (02/25/99)

- C. In the event of a vacancy in the office of Domicile Chairman or Vice Chairman, if the unexpired term is more than six (6) months, an election shall be held to fill the vacancy utilizing the procedures specified in Section 4 of this Article IX. If the unexpired term is six (6) months or less, an election shall be held at a domicile meeting provided that a notice is mailed to each domicile member at least twenty (20) days prior to the election informing the member of the date, time, and place of the election and a listing of the office or offices to be filled. (04/24/92)

- D. When a Domicile loses eligibility for a Vice Chairman because the number of active members in good standing at the Domicile fall below the number required by Article II, Section 5.A. of the Constitution and Bylaws, the following will apply:

Effective with the date that the status falls below that required, the Secretary-Treasurer shall notify the Chairman and Vice Chairman of the affected Domicile that the Domicile has become ineligible for a Vice Chairman representative until such time as the active members in good standing increases to the required number. If the active membership increases to the required number, the Vice Chairman will be reinstated for the remainder of the elected term. If the elected term is expired, there will be an election according to Article IX, Section 4. (01/26/95)

Section 6. Election Appeals

- A. The Article VII Appeal Board shall also serve as the Association's internal election appeal body. The Appeal Board shall consider all complaints, protests, or appeal concerning APA elections received in writing from any member in good standing provided they have been received by the Appeal Board within ten (10) days after the later of the completion of the election or the run-off election. Complaints may not be filed prior to the conclusion of an election. The Appeal Board shall issue its written finding or decision as soon as practicable within sixty (60) days of receipt of a written protest, complaint, or appeal. (06/16/93)

ID	Name	Q1	Q1Cmt	Q2	Q2Cmt	Q3	Q3Cmt	Q3a
8151	Stephen Balogh	Yes		Yes		No		No
9681	Robert Lines	Yes		Yes		Yes		No
9936	Ken Clark	Yes		Yes		Yes	my choices, and make sure my vote was for	Yes
10016	Michael Braun	Yes		Yes		Other	I do not remember	Other
10318	Peter Bruder	Yes		Yes		Yes		Yes
13088	Nelson Balcar	Yes		Yes		Other	I may have but I don't recall.	Other
13387	Gary Bell	Yes		Yes		Yes	log in the first time. USER ERROR	Yes
13671	Russell Dennis	Yes		Yes		Other	May have to check my vote and get a copy of	Other
16945	James Webber	Yes		Yes		Yes	I could not remeber if I had voted.	Yes
17745	Jimmy Walton	Yes		Yes		Yes		No
17826	Donald Holt	Yes		Yes		No		No
18096	Richard Slack	Yes		Yes		No		No
18213	Douglas Furlong	Yes		Yes		Other	Don't remember	Other
26008	Charles Morton	Yes		No		No		No
26305	Charles Mohler	Yes		Yes		No		No
26403	Ronald Minter	Yes		Yes		Yes	change vote	Yes
26878	Shawn Hilvers	Yes		Yes		No		No
40281	Robert Perina	Yes		Yes		No	Maybe returned to double check results	No
40748	Carl Mennie	Yes		Yes		Yes		Yes

41334	Randal Popiel	Yes	Yes	Yes	No
49914	John Seski	Yes	Yes	No	Yes
52248	James Armstrong	Yes	Yes		
52566	Gert-Jan Visser	Yes	Yes	No	No
52596	Philip White	Yes	Yes	Yes	No
60112	Bruce Ott	Yes	Yes	Yes	No
60158	Douglas Davey	Yes	Yes	Yes	No
63160	David Whitney	Yes	Yes	Yes	Yes
65396	William Gore	Yes	Yes	Other	DON'T REMEMBER
65428	Scott Williams	Yes	Yes	Other	I don't remember.
70357	Mark Orms	Yes	Yes	Yes	No
83761	Ralph Hunter	Yes	Yes	Yes	Yes
84636	Robert Coveney	Yes	Yes	No	No
89275	Randall Craig	Yes	Yes	Other	I do not remember.
89452	Lawrence Brackett	Yes	Yes	No	Not that I remember
89531	Kent Rittenhouse	Yes	Yes	Yes	No
89592	Steven Hart	Yes	Yes	Other	Can't remember but think I did.
89602	Steven Henderson	Yes	Yes	No	Yes
89880	James Bailey	Yes	Yes	No	don't remember
89894	David McLean	Yes	Yes	Other	this one or the runoff or both, can't recall which.

92558	Matthew Field	Yes	Yes	No	No
92712	Michael Grisham	Yes	Yes	Other	Yes
93338	Barry Edington	Yes	Yes	Yes	No
93838	Michael Funk	Yes	Yes	Other	Other
93862	Michael Bovee	Yes	Yes	Other	Other
94185	Jon Reilman	Yes	Yes	Yes	Yes
96482	Daniel Arnoldy	Yes	Yes	No	Yes
96800	Rod Pool	Yes	Yes	Yes	Yes
105256	Alec Hamilton	Yes	Yes	No	No
106127	Stephen Nowatzki	Yes	Yes	No	Yes
129884	Michael Tierney	Yes	Yes	Yes	Yes
137447	Anthony Davis	Yes	Yes	Yes	No
137547	Douglas Clough	Yes	Yes	Yes	Yes
137602	Mark Hearne	Yes	Yes	Yes	Yes
139626	Paul Wreschinsky	Yes	Yes	No	Yes
153219	William Harris	Yes	Yes	Other	No
168313	Thomas Jaszewski	Yes	Yes	No	No
168534	John Widtfeldt	Yes	Yes	Yes	No
168547	William Wallace	Yes	Other	Other	Other

179777	Matthew Asdel	Yes	Yes	Other	sure. I may have... to change my vote.	Other
183597	Paul Doto	Yes	Yes	Yes	No	No
183599	Jeffrey Sullivan	Yes	Yes	Other	the elections, but I believe it was the Run-	Yes
183644	Samuel Mayer	Yes	Yes	No	No	No
183809	David Diamond	Yes	Yes	Yes	Other	Other
198786	Terry Woodrow	Yes	Yes	No	No	No
198898	Kurt Wolz	Yes	Yes	Yes	my vote after reading more information about	No
199111	Alex True	Yes	Yes	Yes	Other	Other
199231	David Watkins	Yes	Yes	Yes	Yes	Yes
199253	Jon Murrie	Yes	Yes	Yes	Yes	Yes
199256	Gary Stevens	Yes	Yes	Yes	national or the runoff; I don't remember which.	Yes
199292	Gary LaBuda	Yes	Yes	Other	Do not remember	Other
318777	William Labutta	Yes	Yes	Yes	Yes	Yes
318795	Fred Mueller	Yes	Yes	Yes	No	No
318799	Robert Ritschel	Yes	Yes	No	No	No
319062	James Vasatka	Yes	Yes	Yes	Yes	Yes
332439	Scott Summer	Yes	Yes	No	No	No
332473	Timothy Popiel	Yes	Yes	Yes	one of the elections, I don't remember which. election, but could have been the run-off	Yes
332496	Charles Clary	Yes	Yes	Other	Other	Other
332788	Alan Lay	Other	I believe yes	Other	I believe yes	Other

332953	Robert Schneider	Yes	Yes	No	No
332960	Erik Lewinski	Yes	Yes	No	No
354455	Charles Gounaud	Yes	Yes	Yes	Yes
354464	Mitchell Siegelman	Yes	Yes	Yes	
354503	Kevin Gallagher	Yes	Yes	Yes	No
354599	Timothy Hanley	Yes	Yes	Yes	No
354894	Steven Westmoreland	Yes	Yes	Other	Other
364770	Michael Horn	Yes	Yes	No	No
364776	Michael Michaelis	Yes	Yes	Yes	Other
364972	Brad Chonko	Yes	Yes	Other	Other
373366	Richard Finlayson	Yes	Yes	Yes	No
406771	James Mejia	Yes	Yes	Yes	Yes
531989	Theodore Mandeville	Yes	Yes	Yes	No
532028	W. Vinson	Yes	Yes	Yes	Yes
532055	Matthew Stroup	Yes	Yes	Yes	No
548140	Lincoln Royse	Yes	Yes	Other	Other
548143	Aldo Croatti	Yes	Yes	Yes	Yes

548149	Nathan Carriker	Yes	Yes	Other	unsure	Other
548170	Rodney Biggs	Yes	Yes	Yes		Yes
548206	William Miller	Yes	Yes	Yes		No
548359	John Kennedy	Yes	Yes	Yes		Yes
548365	Troy Castle	Yes	Yes	No		No
548368	Justin Petrikas	Yes	Yes	No		Yes
575305	Paul Schoenbucher	Yes	Yes	Yes	I changed my mind on who to vote for	No
575405	Douglas Esposito	Yes	Yes	Yes		Yes
575494	Grady Dougless	Yes	Yes	No		Yes
575565	Romeo Rosario	Yes	Yes	No		No
575607	Paul Butalla	Yes	Yes	Yes		No
575801	Segundo Andrew	No	100% certain	No		No
575809	Patrick Rice	Yes	Yes	Yes		No
575871	Daniel Henderson	Yes	Yes	No		Yes
576282	David Letourneau	Yes	Yes	No		No

092712 Michael GrishamDid you vote in the National Officer Election ending on May 24, 2004? **Yes**Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **Other****Not Sure**Run-Off Election **Yes**When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **Other****I re-entered the AAA electronic voting and re-entered my votes within the last hour to make sure my vote had not been changed. I do not believe the system is that secure.**

093338 Barry EdingtonDid you vote in the National Officer Election ending on May 24, 2004? **Yes**Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **Yes**Run-Off Election **No**When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **No**

137447 Anthony Davis

Did you vote in the National Officer Election ending on May 24, 2004? **Yes**

Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **Yes**

Run-Off Election **No**

When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **No**

137547 Douglas Clough

Did you vote in the National Officer Election ending on May 24, 2004? **Yes**

Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **Yes**

I checked to make sure my that my vote had not changed.

Run-Off Election **Yes**

I checked to make sure my that my vote had not changed.

When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **No**

137602 Mark Hearne

Did you vote in the National Officer Election ending on May 24, 2004? **Yes**

I have serious misgivings about the conduct of the election!

Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

I have serious misgivings about the conduct of the election!

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **Yes**

In this election, I re-entered it because I wanted to insure that my vote had not "changed" from the time I entered it originally. I did this because there were stories that some member's vote had changed. I wanted to make sure that my vote was truly my vote.

Run-Off Election **Yes**

In this election, I re-entered it because I wanted to insure that my vote had not "changed" from the time I entered it originally. I did this because there were stories that some member's vote had changed. I wanted to make sure that my vote was truly my vote.

When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **Other**

I was unsure as to whether or not this had occurred. Just to be sure, I re-entered the system to check my vote.

139626 Paul Wreschinsky

Did you vote in the National Officer Election ending on May 24, 2004? **Yes**

Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **No**

Run-Off Election **Yes**

When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **No**

183599 Jeffrey Sullivan

Did you vote in the National Officer Election ending on May 24, 2004? **Yes**

Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **Other**

I did reenter on one of the elections, but I believe it was the Run-Off.

Run-Off Election **Yes**

Reentered because of postings concerning possible problems with the voting. I wanted to make sure my vote had not been tampered with. It had not.

When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **No**

183644 Samuel Mayer

Did you vote in the National Officer Election ending on May 24, 2004? **Yes**

Did you vote in the Run-Off Election ending on June 22, 2004? **Yes**

Did you re-enter the AAA electronic voting system for any reason in either the National Officer or Run-Off Election?

National Officer Electio **No**

Run-Off Election **No**

When you voted in either the National Officer or Run-Off election, did you have any indication that a vote had already been cast using your PIN and ID number by someone other than yourself? **No**
